



Important Notice Concerning SHBP Procurement Policy Section 9.9: Appeal of Contract Award

DCH is issuing this statement to offer further clarification as to the appeals process that will be conducted pursuant to the SHBP Procurement Policy. This statement supersedes all other instructions that may have been issued with respect to the appeals procedures.

1. DCH will continue to respond to pending Open Records Act requests and will issue the documents that are not covered by an Open Records Act exemption or an Affidavit of confidentiality or trademark.
2. To date, DCH has only issued a Notice of Intent to Award (NOIA), which is not the equivalent of a Notice of Award (NOA).
3. DCH is authorized to issue a NOA and execute the contracts once the Notice Period expires at midnight on August 7, 2013.
4. Presently, the protest/appeals period associated with the issuance of the NOIA is in effect from July 24, 2013 through August 7, 2013 at 11:59p.m. ET. Upon issuance of the NOA, DCH will follow the appeals process provided in the SHBP Procurement policy § 9.9. Any appeal must comply with the requirements detailed in Section 9.9. The appeal of the Offeror must be submitted in writing to the Director of Procurement within seven (7) calendar days, excluding State holidays, of the award notice posting (the NOA). After the expiration of the seven (7) day appeal period, the Director of Procurement will issue a decision, in writing, which shall contain an explanation of the basis of the decision. Refer to the SHBP Procurement policy for further details, including the process to request final review of the Director of Procurement's decision by the DCH Commissioner.